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By: J. Michael Neary
Michael NearySept. 8, 2010
Date: Sept. 08, 2010

Inventor(s): Gerald J. Julien)
Serial No.: 10/505,356) Group A.U. 3618
Filing Date: August 19, 2004) Examiner: John Daniel Walters
Title: Nitinol Ice Blades)

Information Disclosure Statement

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sept. 08, 2010

Sir:

Applicant's attorney has just discovered a Patent No. 7,036,828 entitled "Extruded Light-Weight Figure Skate Blade Holder with Two-Part Blade" that contains some relevant information about titanium skate blades. In col. 4, lines 12-22 Mr. Loveridge, the inventor, makes the following statements:

The blade 14 may be made from a light-weight alloy such as titanium or magnesium by way of example only. The blade is therefore very lightweight and strong. However, as a skate blade has to have a sharp edge which must be maintained for figure skating, the use of titanium or magnesium for the sharp edge is not appropriate as those types of light-weight alloys do not hold this sharp edge as they are too soft. The most acceptable metal is carbon steel as it can be sharpened to the appropriate sharp edge and this sharp edge can also be maintained for high level figure skating.

This patent offers additional confirmation of what Applicant has been asserting to be the common knowledge among those skilled in the skating art, namely, that titanium is an "inappropriate" (as Mr. Loveridge puts it) material for skate blades. Mr. Loveridge solves the problem by attaching a steel edge to his titanium blade, thereby converting it to a steel blade with a titanium body. Mr. Abkowitz solves the problem by embedding hard particles in the titanium, thereby creating a metal matrix composite, a product ("CermeTi") of the company (Dynamet Technology, Inc.) he founded in 1972 and still leads as President. According the Company Profile) for Dynamet, which can be found on the internet at www.dynamettechnology.com), Dynamet's core business is the manufacture of components by advance power metal technology, specializing in titanium alloys and titanium matrix composites. It is small wonder, then, that Mr. Abkowitz would be interested in finding potential applications for his CermeTi material. The Company Profile section for Mr. Abkowitz has no information that would suggest that he has any expertise in ice skating or skate manufacturing, other than his understandable interest in promoting uses of his company's product CermeTi.

The Examiner states in the outstanding Office Action that the Abkowitz patent teaches the use of titanium and titanium alloys for ice skate blades. As noted earlier by Applicant, Abkowitz actually teaches the use of titanium metal matrix composites (that is, titanium alloy with embedded particles of hard material, such as titanium carbide), or hard cladding to prevent rapid dulling of the skate blade edges. The teaching of the Loveridge patent is essentially the same: namely, that titanium and its alloys is "inappropriate" for use on the ice contacting edge of the skate blade.

Thus, a person of ordinary skill in the art, even knowing nothing about the sorry history of titanium skate blades, would know from reading Abkowitz and Loveridge, that titanium or its alloys is "inappropriate" for use in the ice-contacting edge of a skate blade, and he would have no reason to expect the superior performance that Type 60 Nitinol blades could provide.

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Respectfully submitted,


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